



Sen. John J. Cullerton

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09500SB0071sam001

LRB095 04152 DRH 33568 a

1 AMENDMENT TO SENATE BILL 71

2 AMENDMENT NO. _____. Amend Senate Bill 71 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Child Passenger Protection Act is amended
5 by changing Sections 3, 4, 4a, and 4b, and by adding Section 4c
6 as follows:

7 (625 ILCS 25/3) (from Ch. 95 1/2, par. 1103)

8 Sec. 3. Definitions. The terms "highway", "motor vehicle",
9 "noncommercial vehicle", "owner", "police officer",
10 "recreational vehicle", "roadway" and "street" as used in this
11 Act, unless the context otherwise requires, have the meaning
12 ascribed to them in The Illinois Vehicle Code, as now or
13 hereafter amended. For purposes of this Act, "child restraint
14 system" means any device which meets the standards of the
15 United States Department of Transportation designed to
16 restrain, seat or position children, which includes

1 rear-facing infant seats, forward-facing toddler seats, and
2 booster seats approved by the National Highway Transportation
3 Agency. For purposes of this Act, "specified vehicle" means a
4 noncommercial motor vehicle of the first division, a motor
5 vehicle of the second division, or a recreational vehicle. For
6 the purpose of this Act, "specified motor vehicle" does not
7 include motorcycles, or motor vehicles manufactured prior to
8 1965, and motor vehicles which are not required to be equipped
9 with seat safety belts under federal law.

10 (Source: P.A. 83-8.)

11 (625 ILCS 25/4) (from Ch. 95 1/2, par. 1104)

12 Sec. 4. Any person who drives a specified vehicle, or any
13 truck or truck tractor that is equipped with seat safety belts,
14 on a highway when a passenger in the vehicle is ~~When any person~~
15 ~~is transporting a child in this State~~ under the age of 8 years
16 ~~in a non commercial motor vehicle of the first division, a~~
17 ~~motor vehicle of the second division with a gross vehicle~~
18 ~~weight rating of 9,000 pounds or less, or a recreational~~
19 ~~vehicle on the roadways, streets or highways of this State,~~
20 ~~such person shall~~ properly secure the child ~~be responsible for~~
21 ~~providing for the protection of such child by properly securing~~
22 ~~him or her~~ in an appropriate child restraint system. Children
23 ages 4 through 7 shall be properly secured in a booster seat
24 secured by a lap and shoulder belt system or other appropriate
25 child restraint system unless the child is 57 inches or taller

1 ~~or is riding in a vehicle without a seating position equipped~~
2 ~~with a lap and shoulder belt system. The parent or legal~~
3 ~~guardian of a child under the age of 8 years shall provide a~~
4 ~~child restraint system to any person who transports his or her~~
5 ~~child. Any person who transports the child of another shall not~~
6 ~~be in violation of this Section unless a child restraint system~~
7 ~~was provided by the parent or legal guardian but not used to~~
8 ~~transport the child.~~

9 ~~For purposes of this Section and Section 4b, "child~~
10 ~~restraint system" means any device which meets the standards of~~
11 ~~the United States Department of Transportation designed to~~
12 ~~restrain, seat or position children, which also includes a~~
13 ~~booster seat.~~

14 ~~A child weighing more than 40 pounds may be transported in~~
15 ~~the back seat of a motor vehicle while wearing only a lap belt~~
16 ~~if the back seat of the motor vehicle is not equipped with a~~
17 ~~combination lap and shoulder belt.~~

18 (Source: P.A. 93-100, eff. 1-1-04.)

19 (625 ILCS 25/4a) (from Ch. 95 1/2, par. 1104a)

20 Sec. 4a. Any person over the age of 17 years who drives a
21 specified vehicle on a highway when a passenger in the vehicle
22 is a child under the age of 16 years shall properly secure the
23 child in a seat belt, unless such child is required to be
24 secured in a child restraint system pursuant to Section 4 of
25 this Act. ~~Every person, when transporting a child 8 years of~~

1 ~~age or older but under the age of 16, as provided in Section 4~~
2 ~~of this Act, shall be responsible for properly securing that~~
3 ~~child in seat belts.~~

4 (Source: P.A. 92-171, eff. 1-1-02; 93-100, eff. 1-1-04.)

5 (625 ILCS 25/4b)

6 Sec. 4b. Children ~~8 years of age or older but~~ under the age
7 of 19; seat belts. Any person under the age of 18 years who
8 drives a specified vehicle on a highway when a passenger in the
9 vehicle is a child under the age of 19 years in a specified
10 vehicle on a highway shall properly secure the child in a seat
11 belt, unless such child is required to be secured in a child
12 restraint system pursuant to Section 4 of this Act. ~~Every~~
13 ~~person under the age of 18 years, when transporting a child 8~~
14 ~~years of age or older but under the age of 19 years, as~~
15 ~~provided in Section 4 of this Act, shall be responsible for~~
16 ~~securing that child in a properly adjusted and fastened seat~~
17 ~~safety belt or an appropriate child restraint system.~~

18 (Source: P.A. 93-100, eff. 1-1-04; 94-241, eff. 1-1-06.)

19 (625 ILCS 25/4c new)

20 Sec. 4c. The parent or legal guardian of a child under the
21 age of 8 years shall provide an appropriate child restraint
22 system to any person who is going to drive a specified vehicle
23 on a highway when his or her child is going to be a passenger in
24 the vehicle, unless such child is 57 or more inches tall."